

IN THE UNITED STATES COURT OF APPEALS
FOR THE EIGHTH CIRCUIT

CUSTOM COMMUNICATIONS, INC.,
D/B/A CUSTOM ALARM, ET AL.
Petitioners,

v.

FEDERAL TRADE COMMISSION,
Respondent.

Nos. 24-3137, 24-3388, 24-3415, 24-3442,
24-3469

CERTIFIED LIST DESCRIBING THE RECORD

I, April J. Tabor, Secretary of the Federal Trade Commission and official custodian of its records, do hereby certify that the list attached hereto adequately describes all documents, transcripts, comments, exhibits, and other materials constituting the record of the rulemaking proceeding for the Rule Concerning Recurring Subscriptions and Other Negative Option Programs, FTC Matter No. P064202 (“Negative Option Rule”).

This list is certified to the United States Court of Appeals for the Eighth Circuit, pursuant to the filing in said Court of a Petition for Review of the Negative Option Rule, which was approved by the Commission on October 16, 2024, and published in the Federal Register on November 15, 2024. *See* 89 Fed. Reg. 90476.

In Witness Whereof, I hereunto subscribe my name on behalf of said Federal Trade Commission, with its Headquarters in the City of Washington, District of Columbia, this sixth of January, 2025.

Respectfully submitted,



April J. Tabor, Esq.
Secretary of the Commission

**CERTIFIED LIST OF DOCUMENTS AND OTHER INFORMATION CONSTITUTING
THE RULEMAKING RECORD**

<u>No.</u>	<u>Description</u>
1.	Rule Concerning Use of Prenotification Negative Option Plans, 16 CFR part 425, 38 FR 4895 (Feb. 22, 1973)
2.	Use of Negative Option Plans by Sellers in Commerce, 38 FR 33766 (Dec. 7, 1973)
3.	Advance Notice of Proposed Rulemaking, 62 FR 15135 (Mar. 31, 1997)
4.	Regulatory Review and Confirmation of the Trade Regulation Rule Concerning Use of Prenotification Negative Option Plans, 63 FR 44555 (Aug. 20, 1998)
5.	Negative Options: A Report by the Staff of the FTC's Division of Enforcement (Jan. 2009), https://www.ftc.gov/reports/negative-options-federal-trade-commission-workshop-analyzing-negative-option-marketing-report-staff
6.	Advance Notice of Proposed Rulemaking, 74 FR 22720 (May 14, 2009)
7.	Confirmation of Rule, 79 FR 44271 (July 31, 2014)
8.	Advance Notice of Proposed Rulemaking, 84 FR 52393 (Oct. 2, 2019)
9.	Comments to Oct. 2, 2019 ANPR, FTC-2019-0082, https://www.regulations.gov/docket/FTC-2019-0082
10.	Enforcement Policy Statement, 86 FR 60822 (Nov. 4, 2021)
11.	Notice of Proposed Rulemaking, 88 FR 24716 (Apr. 23, 2023)
12.	16,612 written public comments to April 23, 2023 NPRM (88 FR 24716), unique comments available at FTC-2023-0033-0001, https://www.regulations.gov/document/FTC-2023-0033-0001/comment
13.	Initial and Final Notice of Informal Hearing, 88 FR 85525 (Dec. 8, 2023)
14.	Comments and additional submissions to Dec. 8, 2023, Informal Hearing Notice available online at regulations.gov at https://www.regulations.gov/document/FTC-2023-0073-0001
15.	January 16, 2024, Informal Hearing Transcript
16.	January 31, 2024, Informal Hearing Transcript
17.	February 14, 2024, Informal Hearing Transcript
18.	Additional Comments and Submissions in connection with the Informal Hearing, available at https://www.regulations.gov/docket/FTC-2024-0001
19.	Recommended Decision by Presiding Officer, https://www.regulations.gov/comment/FTC-2024-0001-0042
20.	Final Rule and Statement of Basis and Purpose, 89 FR 90476 (Nov. 15, 2024)
21.	FTC Act, 15 U.S.C. §§ 41-58
22.	Unordered Merchandise Statute, 39 U.S.C. 3009

23. McCarran-Ferguson Act, 15 U.S.C. 1012
24. Electronic Fund Transfer Act, 15 U.S.C. 1693-1693r
25. E-Sign, 15 U.S.C. 7001-7006
26. 12 U.S.C. § 5581
27. Restore Online Shoppers' Confidence Act, 15 U.S.C. § 8401, *et seq.*
28. Regulatory Flexibility Act, 5 U.S.C. 601-612
29. Paperwork Reduction Act, 44 U.S.C. 3501 *et seq.*, 5 CFR 1320.3
30. Controlling the Assault of Non-Solicited Pornography and Marketing Act of 2003, 15 U.S.C. 7701-7713; 16 CFR part 316
31. Television Viewer Protection Act of 2019, 47 U.S.C. § 562
32. Regulation E, 12 CFR 1005.10
33. Commission's Rules of Practice, 16 CFR part 1
34. Telemarketing Sales Rule ("TSR"), 16 CFR part 316
35. Cooling-Off Rule, 16 CFR part 429
36. Funeral Industry Rule, 16 CFR part 453
37. Franchising Rule, 16 CFR part 436
38. Business Opportunity Rule, 16 CFR part 437
39. Used Motor Vehicle Rule, 16 CFR part 455
40. Impersonation Rule, 89 FR 15017 (Feb. 29, 2024)
41. Merchandise Rule, 40 FR 49492 (Oct. 22, 1975)
42. Merchandise Rule, 79 FR 55615 (Sept. 17, 2014)
43. TSR, 89 FR 26760 (April 16, 2024)
44. TSR, 60 FR 43842 (Aug. 23, 1995)
45. TSR, 89 FR 26767 (Apr. 16, 2024)
46. Unfair or Deceptive Fees Rule NPRM, 88 FR 77420 (Nov. 9, 2023)
47. Fed. Trade Comm'n, Policy Statement on Deception (Oct. 14, 1983) (appended to *In re Cliffdale Assocs., Inc.*, 103 F.T.C. 110 (1984))
48. Fed. Trade Comm'n, Policy Statement on Unfairness, appended to *In re International Harvester Co.*, 104 F.T.C. 949 (1984)
49. Fed. Trade Comm'n, *.com Disclosures* (Mar. 2013), available at <https://www.ftc.gov/system/files/documents/plain-language/bus41-dot-com-disclosures-information-about-online-advertising.pdf>
50. Fed. Trade Comm'n, Bringing Dark Patterns to Light, FTC Staff Report (Sept. 2022), available at

https://www.ftc.gov/system/files/ftc_gov/pdf/P214800%20Dark%20Patterns%20Report%2009.14.2022%20-%20FINAL.pdf

51. Fed. Trade Comm’n, “Protecting Small Businesses: Cases,” <https://www.ftc.gov/node/1211663>
52. Fed. Trade Comm’n, “Protecting Small Businesses,” <https://www.ftc.gov/tips-advice/business-center/small-businesses>
53. Fed. Trade Comm’n, “Scams and Your Small Business: A Guide For Business,” <https://www.ftc.gov/tips-advice/business-center/guidance/scams-your-small-business-guide-business>
54. Fed. Trade Comm’n, “FTC, BBB, and Law Enforcement Partners Announce Results of Operation Main Street: Stopping Small Business Scams Law Enforcement and Education Initiative” (June 18, 2018), <https://www.ftc.gov/news-events/press-releases/2018/06/ftc-bbb-law-enforcement-partners-announce-results-operation-main>
55. Steve Baker, *Subscription Traps and Deceptive Free Trials Scam Millions with Misleading Ads and Fake Celebrity Endorsements*, Better Business Bureau (Dec. 2018), <https://www.bbb.org/article/investigations/18929-subscription-traps-and-deceptive-free-trials-scamillions-with-misleading-ads-and-fake-celebrity-endorsements>
56. Better Business Bureau, BBB Investigation Update: Free Trial Offer Scams (Apr. 2020), <https://www.bbb.org/article/news-releases/22040-bbb-update-free-trial-offerscams>
57. Rebecca Lake, “Report: Hidden Fees Are #1 Consumer Complaint,” [mybanktracker.com](https://www.mybanktracker.com/money-tips/money/hidden-fees-consumer-complaint-253387) (updated Oct. 16, 2018), <https://www.mybanktracker.com/money-tips/money/hidden-fees-consumer-complaint-253387>
58. Bankrate, “Despite safety concerns, 64% of U.S. debit or credit cardholders save their information online” (Oct. 24, 2019), at <https://www.bankrate.com/pdfs/pr/20191024-online-shopping-survey.pdf>
59. “Subscription Service Statistics and Costs,” C+R Research Blog (May 18, 2022)
60. “Survey from Chase Reveals That Two-Thirds of Consumers Have Forgotten About At Least One Recurring Payment In The Last Year” (Apr. 1, 2021), <https://media.chase.com/news/survey-from-chase-reveals>
61. Sarah Brady and Korrena Bailie, “5 Tools To Help You Cancel Unwanted Subscriptions,” *Forbes* (July 13, 2022), <https://www.forbes.com/advisor/personal-finance/manage-subscriptions>
62. Einav, Liran, et al., “Selling Subscriptions” (Dec. 1, 2023)
63. Tony Chen, Ken Fenyo, Sylvia Yang, and Jessica Zhang, “Thinking Inside the Subscription Box: New Research on E-Commerce Consumers,” McKinsey & Company (Feb. 2018)
64. Office of the Federal Register, “A Guide to the Rulemaking Process,” https://www.federalregister.gov/uploads/2011/01/the_rulemaking_process.pdf.
65. California Automatic Purchase Renewals, Cal. Bus. & Prof. Code section 17600-17606 (2022)

66. Colorado Automatic Renewal Contracts, C.R.S. Section 6-1-732 (2023)
67. Connecticut, Automatic renewal and continuous services provisions in consumer agreements, Conn. Gen. Stat. § 42-158ff (2023)
68. Delaware, Consumer contracts, 6 DE Code §§ 2731-2737 (2023)
69. District of Columbia, Automatic Renewal Protections Act of 2018, DC Code §§ 28A-201-204 (2019)
70. Florida, Automatic renewal of service contracts, Fl. Stat. § 501.165 (2024)
71. Georgia, Automatic renewal provisions, GA Code Ann. §13-12 (2021)
72. Idaho, Cancellation of Subscriptions, 48-603G (2022)
73. Illinois, Automatic Contract Renewal Act, 815 ILCS 601 (2024)
74. Hawaii, Automatic renewal clauses and continuous service clauses, HI .Rev. Stat. § 481-9.5 (2023)
75. Maine, Required disclosures to consumers, Title 10 § 1210
76. New York, Section 527-A, General Business, Chapter 20, Article 29-BB
77. New Jersey, Consumer Contracts, N.J. Rev. Stat. §§ 56:8-42.1.a, 56:12-95.5 (2023)
78. North Carolina, Contracts with automatic renewal clauses, N.C.G.S. § 75-41 (2009)
79. North Dakota, Consumer contract clauses and automatic renewals, N.D. Cent. Code §§ 51-37-01-06 (2023)
80. Oregon, Automatic Renewal and Continuous Service Offers, ORS §§ 646A.292-295 (2023)
81. Tennessee, Automatic Renewal of Subscription Services, Tenn. Code § 47-18-133 (2023)
82. Virginia, Automatic Renewal Offers and Continuous Service Offers, Va. Code §§ 59.1-207.45-207.49 (2023)
83. Vermont, 9 V.S.A. §2454a (2019)
84. Better Business Bureau, ScamTracker, ID #720953,
<https://www.bbb.org/scamtracker/lookupscam/720953>
85. Consumer Financial Protection Bureau, “CFPB Charges TransUnion and Senior Executive John Danaher with Violating Law Enforcement Order” (Apr. 2022),
<https://www.consumerfinance.gov/about-us/newsroom/cfpb-charges-transunion-and-seniorexecutive-john-danaher-with-violating-law-enforcement-order/>
86. Consumer Financial Protection Bureau, “Unlawful negative option marketing practices,” Circular 2023-01 (Jan. 19, 2023), available at
https://files.consumerfinance.gov/f/documents/cfpb_unlawful-negative-option-marketing-practices-circular_2023-01.pdf

87. David Pierson, ‘Santa Monica fitness brand Beachbody is fined \$3.6 million over automatic renewals,’ L.A. Times (Aug. 29, 2017), <https://www.latimes.com/business/la-fi-beachbody-20170829-story.html>
88. Bruce A. Craig, Negative-Option Billing - Understanding the Stealth Scams of the ‘90s, 7 Loy. Consumer L. Rev. 5 (1994)
89. vlogbrothers, Why isn’t this Illegal?, <https://www.youtube.com/watch?v=FjAw1LMShIA&pp=ygUMdmxvZ2Jyb3RoZXJz> (last visited Aug. 25, 2024)
90. Sophia Wang, “One Size Does Not Fit All: The Shortcomings of Current Negative Option Legislation,” 26 Cornell J. of L. & Pub. Policy, 197, 212 n.135 (2016)
91. Keith M. Marzilli Ericson, “Forgetting We Forget: Overconfidence and Memory,” 9 J. Eur. Econ. Assoc. 43 (2011)
92. Tess Wilkinson-Ryan, “A Psychological Account of Consent to Fine Print,” 99 Iowa L. Rev. 1745 (2014)
93. Jabil, “Connected Packaging Perceptions and Attitudes: A Consumer Insights Survey” (July 2021), <https://www.jabil.com/dam/jcr:ecdb74e6-c34f-4c30-aa34-c10269617db6/2021-connected-packaging-survey.pdf#page=3>
94. Klaus Miller, *et al.*, “Sophisticated Consumers with Inertia: Long-Term Implications from a Large-Scale Field Experiment” (2023), https://papers.ssrn.com/sol3/papers.cfm?abstract_id=4065098
95. Brigitte Madrian & Dennis Shea, “The Power of Suggestion: Inertia in 401(k) Participation and Savings Behavior,” 116 Quarterly J. of Econ. 1149 (2001)
96. William Samuelson and Richard Zeckhauser, “Status Quo Bias in Decision Making,” 1 J. of Risk & Uncertainty 7 (1988)
97. Miller, *et al.* (2023); Liran Einav, *et al.*, “Selling Subscriptions” (2023), https://harris.uchicago.edu/sites/default/files/mahoney_ppe_seminar_paper_9-26-23_0.pdf
98. U.K. Department for Business and Trade, “Impact Assessment—Digital Markets, Competition and Consumers Bill: Subscription Measures,” at 3 (Apr. 20, 2023), <https://publications.parliament.uk/pa/bills/cbill/58-03/0294/ImpactAssessmentAnnex2.pdf>
99. Michelle Hawley and Shane O’Neill, “21 Important Call Center Statistics to Know About,” (Apr. 3, 2024), <https://www.cmswire.com/contact-center/16-important-call-center-statistics-to-know-about>
100. Bureau of Labor Statistics, “May 2023 National Occupational and Wage Estimates, Unites States,” https://www.bls.gov/oes/current/oes_nat.htm
101. Bureau of Labor Statistics, “Occupational Employment and Wages, May 2023, 23-1011 Lawyers,” <https://www.bls.gov/oes/current/oes231011.htm>

102. Bureau of Labor Statistics, “Occupational Employment and Wages, May 2023, 41-0000 Sales and Related Occupations (Major Group),” <https://www.bls.gov/oes/current/oes410000.htm>
103. Bureau of Labor Statistics, “Occupational Employment and Wages, May 2023, 43-9061 Office Clerks, General,” <https://www.bls.gov/oes/current/oes439061.htm>
104. Bureau of Labor Statistics, “Occupational Employment and Wages, May 2023, 15-1254 Web Developers,” <https://www.bls.gov/oes/2023/may/oes151254.htm>
105. Bureau of Labor Statistics, “Occupational Employment and Wages, May 2023, 15-1251 Computer Programmers,” <https://www.bls.gov/oes/current/oes151251.htm>
106. Bureau of Labor Statistics, “Occupational Employment and Wages–May 2021,” at Table 1 (Mar. 31, 2022)
107. Bureau of Labor Statistics, “CPI Inflation Calculator,” https://www.bls.gov/data/inflation_calculator.htm
108. Daniel S. Hamermesh, “What’s to Know About Time Use?,” 30 J. Econ. Surv. 1, 198-203 (2015)
109. Caroline Sindors, “How Companies Make It Difficult to Unsubscribe,” <https://pudding.cool/2023/05/dark-patterns>
110. Dana George, “This Is How Much the Average American Really Spends on Gym Memberships,” Jan. 7, 2024, <https://www.fool.com/the-ascent/personal-finance/articles/this-is-how-much-the-average-american-really-spends-on-gym-memberships>
111. U.S. Census, “Demographic Turning Points for the United States: Population Projections for 2020 to 2060: Population Estimates and Projections,” Feb. 2020, <https://www.census.gov/library/publications/2020/demo/p25-1144.html>
112. Julia Stoll, “SVOD service user shares in the U.S. 2015-2023” (Sept. 7, 2023), <https://www.statista.com/statistics/318778/subscription-based-video-streaming-services-usage-usa>
113. Bango, “Subscription Wars: Super Bundling Awakens,” at 4 (2024), <https://bango.com/resources/subscription-wars-super-bundling-awakens>
114. Stripe, “Subscription churn 101: A complete guide for businesses” (Jan. 23, 2024), <https://stripe.com/resources/more/subscription-churn-101>
115. Recurly, “What is a good churn rate?,” <https://recurly.com/research/churn-rate-benchmarks>
116. Deloitte, Digital Media Trends Survey: 16th Edition (2022), <https://www2.deloitte.com/us/en/insights/industry/technology/digital-media-trends-consumption-habits-survey/summary.html>
117. “28 Gym Membership Statistics: Average Cost of Memberships,” Renew Bariatrics (Jan. 4, 2024), <https://renewbariatrics.com/gym-membership-statistics/>
118. Why Health Club Retention Requires a Technology Solution,” IHRSA (May 20, 2019)

119. Ashley Sheil, *et al.*, “Staying at the Roach Motel: Cross-Country Analysis of Manipulative Subscription and Cancellation Flows,” in Mueller, F.F. (ed.), CHI ‘24: Proceedings of the CHI Conference on Human Factors in Computing Systems (May 11-16, 2024), <https://repository.ubn.ru.nl/handle/2066/30690>
120. U.S. Census North American Industry Classification System (NAICS), available at <https://www.census.gov/naics/>
121. <https://www.yaguara.co/amazon-prime-statistics>
122. <https://www.ancestry.com/corporate/newsroom/press-releases/ancestry-releases-2023-annual-impact-report--underscoring-corpor>
123. <https://www.statista.com/statistics/258014/number-of-hulus-paying-subscribers>
124. <https://www.statista.com/statistics/483112/netflix-subscribers>
125. <https://www.theverge.com/2024/4/29/24144766/paramount-plus-now-has-over-71-million-subscribers>
126. <https://pressgazette.co.uk/north-america/us-local-news-subscribers-ranking>
127. <https://www.nytimes.com/2024/08/07/business/media/new-york-times-earnings.html>
128. <https://help.shopify.com/en/manual/products/purchase-options/shopify-subscriptions/customer-experience#subscription-management-for-customers>
129. <https://aureatelabs.com/blog/shopify-website-development-cost>
130. <https://apps.shopify.com/categories/selling-products-purchase-options-subscriptions>
131. <https://www.ftc.gov/business-guidance>
132. Summary of FTC consumer Sentinel complaints concerning negative option practices from 2021 to October 7, 2024

Cases and Reported Decisions

1. *Am. Fin. Servs. Ass’n v. FTC*, 767 F.2d 957 (D.C. Cir. 1985)
2. *Am. Optometric Ass’n v. FTC*, 626 F.2d 896 (D.C. Cir. 1980)
3. *Biden v. Nebraska*, 143 S. Ct. 2355 (2023)
4. *Brennan v. Dickson*, 45 F.4th 48 (D.C. Cir. 2022)
5. *California Dental Ass’n v. FTC*, 526 U.S. 756 (1999)
6. *CFPB v. Transunion*, No. 1:22-cv-01880 (N.D. Ill. 2022)
7. *CFPB v. ACTIVE Network, LLC*, No. 4:22-cv-00898 (E.D. Tex. 2022)
8. *CFPB v. Sterling Jewelers, Inc.*, No. 1:19-cv-00448 (S.D.N.Y. 2019)
9. *CFPB v. Prime Mktg. Holdings, LLC*, No. 2:16-cv-07111 (C.D. Cal. 2016)
10. *CFPB v. Student Financial Aid Servs., Inc.*, No. 2:15-cv-00821 (E.D. Cal. 2015)

11. *CFPB v. Affinion Group Holdings, Inc.*, No. 5:15-cv-01005 (D. Conn. 2015)
12. *CFPB v. Intersections Inc.*, No. 1:15-cv-835 (E.D. Va. 2015)
13. *Compassion Over Killing v. FDA*, 849 F.3d 849 (9th Cir. 2017)
14. *Fla. Lime & Avocado Growers, Inc. v. Paul*, 373 U.S. 132 (1963)
15. *FTC v. AAFE Prods. Corp.*, No. 3:17-cv-00575 (S.D. Cal. 2017)
16. *FTC v. AdoreMe, Inc.*, No. 1:17-cv-09083 (S.D.N.Y. 2017)
17. *FTC v. AH Media Grp., LLC*, No. 3:19-cv-04022 (N.D. Cal. 2019)
18. *FTC v. Affiliate Strategies Inc.*, No. 5:09-cv-04104 (D. Kan. 2009)
19. *FTC v. Age of Learning, Inc.*, No. 2:20-cv-07996 (C.D. Cal. 2020)
20. *FTC v. Amazon.com, Inc.*, No. 2:23-cv-0932 (W.D. Wash. 2023)
21. *FTC v. Amazon.com, Inc.*, No. 2:14-cv-1038, 2016 WL 10654030 (W.D. Wash. Apr. 26, 2016)
22. *FTC v. Amazon.com, Inc.*, No. 2:23-CV-00932, 2024 WL 2723812 (W.D. Wash. May 28, 2024)
23. *FTC v. Apex Capital Grp., LLC*, No. 2:18-cv-09573 (C.D. Cal. 2018)
24. *FTC v. Benefytt Techs., Inc.*, No. 8:22-cv-01794 (M.D. Fla. 2022)
25. *FTC v. Berkeley Premium Nutraceuticals*, No. 1:06-cv-00051 (S.D. Ohio 2006)
26. *FTC v. Bridge It, Inc.*, No. 1:23-cv-09651 (S.D.N.Y. 2023)
27. *FTC v. BunZai Media Grp., Inc.*, No. 2:15-cv-04527 (C.D. Cal. 2015)
28. *FTC v. Cardiff*, No. 5:18-cv-02104 (C.D. Cal. 2018)
29. *FTC v. Classic Closeouts, LLC*, No. 2:09-cv-2692 (E.D.N.Y. 2009)
30. *FTC v. Commerce Planet, Inc.*, No. 8:09-cv-01324 (C.D. Cal. 2009)
31. *FTC v. Complete Weightloss Ctr.*, No. 1:08-cv-00053 (D.N.D. 2008)
32. *FTC v. Consumerinfo.com*, No. 8:05-cv-00801 (C.D. Cal. 2005)
33. *FTC v. Conversion Mktg.*, No. 8:04-cv-01264 (C.D. Cal. 2004)
34. *FTC v. Credit Bureau Ctr., LLC*, No. 1:17-cv-00194 (N.D. Ill. 2017)
35. *FTC v. Crescent Publ'g Grp., Inc.*, 129 F. Supp. 2d 311 (S.D.N.Y. 2001)
36. *FTC v. Crittenden*, 19 F.3d 26 (9th Cir. 1994)
37. *FTC v. Cyberspace.com, LLC*, 453 F.3d 1196 (9th Cir. 2006)

38. *FTC v. Dill*, No. 2:16-cv-00023 (D. Me. 2016)
39. *FTC v. Direct Mktg. Concepts, Inc.*, 624 F.3d 1 (1st Cir. 2010)
40. *FTC v. DOTAuthority.com, Inc.*, No. 0:16-cv-62186 (S.D. Fla. 2016)
41. *FTC v. Elite IT Partners, Inc.*, No. 2:19-cv-00125 (D. Utah 2019)
42. *FTC v. F9 Advert., LLC*, No. 3:19-cv-01174 (D.P.R. 2019)
43. *FTC v. First Am. Payment Sys.*, No. 4:22-cv-00654 (E.D. Tex. 2022)
44. *FTC v. First Data Merch Servs., LLC*, No. 1:20-cv-03867 (S.D.N.Y. 2020)
45. *FTC v. FloatMe Corp.*, No. 5:24-cv-00001 (W.D. Tex. 2024)
46. *FTC v. FTN Promotions, Inc.*, No. 8:07-cv-1279 (M.D. Fla. 2007)
47. *FTC v. Grant Connect, LLC*, 2:09-cv-01349 (D. Nev. 2009)
48. *FTC v. Green Millionaire, LLC*, 1:12-cv-01102 (D. Md. 2012)
49. *FTC v. Health Formulas, LLC*, No. 2:14-cv-01649 (D. Nev. 2014)
50. *FTC v. Health Rsch. Labs., LLC*, No. 2:17-cv-00467 (D. Me. 2017)
51. *FTC v. HispaNexo, Inc.*, No. 1:06-cv-424 (E.D. Va. 2006)
52. *FTC v. IAB Mktg. Assocs. LP*, 746 F.3d 1228 (11th Cir. 2014)
53. *FTC v. Ideal Fin. Sols., Inc.*, No. 2:13-cv-00143, 2015 WL 4032103 (D. Nev. June 30, 2015)
54. *FTC v. IFC Credit Corp.*, 543 F. Supp. 2d 925 (N.D. Ill. 2008)
55. *FTC v. Inc21.com Corp.*, 688 F. Supp. 2d 927 (N.D. Cal. 2010)
56. *FTC v. Inc21.com Corp.*, 745 F. Supp. 2d 975 (N.D. Cal. 2010)
57. *FTC v. JAB Ventures, LLC*, No. 2:08-cv-08-04648 (C.D. Cal. 2008)
58. *FTC v. JDI Dating, Ltd.*, No. 1:14-cv-08400 (N.D. Ill. 2014)
59. *FTC v. John Beck Amazing Profits, LLC*, No. 2:09-cv-04719 (C.D. Cal. 2009)
60. *FTC v. Johnson*, No. 2:10-cv-02203 (D. Nev. 2010)
61. *FTC v. LeadClick Media, LLC*, 838 F.3d 158 (2d Cir. 2016)
62. *FTC v. Leanspa, LLC*, No. 3:11-cv-01715 (D. Conn. 2011)
63. *FTC v. LoanPointe, LLC*, 525 F. App'x 696 (10th Cir. 2017)
64. *FTC v. Match Grp., Inc.*, No. 3:19-cv-02281 (N.D. Tex. 2019)
65. *FTC v. Mktg. Architects*, No. 2:18-cv-00050 (D. Me. 2018)

66. *FTC v. Moneymaker*, No. 2:11-cv-00461 (D. Nev. 2011)
67. *FTC. v. Neovi, Inc.*, 604 F.3d 1150, 1157-59 (9th Cir. 2010), amended by 2010 WL 2365956 (9th Cir. June 15, 2010)
68. *FTC v. NGL Labs, LLC*, No. 2:24-cv-05753 (C.D. Cal. 2024)
69. *FTC v. Nobetes Corp.*, No. 2:18-cv-10068 (C.D. Cal. 2018)
70. *FTC v. NutraClick LLC*, No. 2:16-cv-06819 (C.D. Cal. 2016)
71. *FTC v. NutraClick, LLC*, No. 2:20-cv-08612 (C.D. Cal. 2020)
72. *FTC v. One Techs., LP*, No. 3:14-cv-05066 (N.D. Cal. 2014)
73. *FTC v. Pact, Inc.*, No. 2:17-cv-1429 (W.D. Wash. 2017)
74. *FTC v. Preferred Alliance*, No. 1:03-cv -0405 (N.D. Ga. 2003)
75. *FTC v. Process Am., Inc.*, No. 2:14-cv-00386 (C.D. Cal. 2014)
76. *FTC v. RagingBull.com, LLC*, No. 1:20-cv-03538 (D. Md. 2020)
77. *FTC v. Remote Response Corp.*, No. 1:06-cv-20168 (S.D. Fla. 2006)
78. *FTC v. RevMountain, LLC*, No. 2:17-cv-02000 (D. Nev. 2017)
79. *FTC v. Shopper Sys., LLC*, No. 1:12-cv-23919 (S.D. Fla. 2013)
80. *FTC v. Tarr*, No. 3:17-cv-02024 (S.D. Cal. 2017)
81. *FTC v. Think All Publ'g, LLC*, No. 4:07-cv-00011 (E.D. Tex. 2007)
82. *FTC v. Triangle Media Corp.*, No. 3:18-cv-01388 (S.D. Cal. 2018)
83. *FTC v. Ultralife Fitness, Inc.*, No. 2:08-cv-07655 (C.D. Cal. 2008)
84. *FTC v. Universal Premium Servs.*, No. 2:06-cv-00849 (C.D. Cal. 2006)
85. *FTC v. Vonage Holdings Corp.*, No. 3:22-cv-06435 (D.N.J. 2022)
86. *FTC v. WealthPress, Inc.*, No. 3:23-cv-00046 (M.D. Fla. 2023)
87. *FTC v. Willms*, No. 2:11-cv-00828 (W.D. Wash. 2011)
88. *FTC v. XXL Impressions*, No. 1:17-cv-00067 (D. Me. 2017)
89. *Harry & Bryant Co. v. FTC*, 726 F.2d 993 (4th Cir. 1984)
90. *Indep. Directory Corp. v. FTC*, 188 F.2d 468 (2d Cir. 1951)
91. *In re America Isuzu Motors*, FTC Docket No. C-3712 (1996)
92. *In re Cliffdale Assocs., Inc.*, 103 F.T.C. 110 (1984)
93. *In re Dun & Bradstreet, Inc.*, FTC Docket No. C-4761 (2022)

94. *In re Equifax Inc., et al.*, CFPB No. 2017-CFPB-0001, 2017 WL 1036710 (Jan. 3, 2017)
95. *In re International Harvester Co.*, 104 F.T.C. 949 (1984)
96. *In re Intuit Inc.*, FTC Docket No. 9408 (2024)
97. *In re MoviePass, Inc.*, FTC Docket No. C-4751 (2021)
98. *In re Thompson Medical Co., Inc.*, 104 F.T.C. 648, 816-17 (1984)
99. *In re Transunion Interactive, Inc., et al.*, CFPB No. 2017-CFPB-0002, 2017 WL 1036711 (Jan. 3, 2017)
100. *In re Urthbox, Inc.*, FTC Docket No. C-4676 (2019)
101. *Katharine Gibbs School v. FTC*, 612 F.2d 658 (2d Cir. 1979)
102. *Long Island Care at Home, Ltd. v. Coke*, 551 U.S. 158 (2007)
103. *Mainstream Mktg. Servs., Inc. v. FTC*, 358 F.3d 1228 (10th Cir. 2004)
104. *Meyer v. Uber Techs., Inc.*, 868 F.3d 66 (2d Cir. 2017)
105. *Pennsylvania Funeral Dirs. Ass'n, Inc. v. FTC*, 41 F.3d 81 (3d Cir. 1994)
106. *Union Labor Life Ins. Co. v. Pireno*, 458 U.S. 119 (1982)
107. *United States v. Adobe, Inc.*, No. 5:24-cv-03630 (N.D. Cal. 2024)
108. *United States v. Cerebral, Inc.*, No. 1:24-cv-21376 (S.D. Fla. 2024)
109. *United States v. Mantra Films, Inc.*, No. 2:03-cv-9184 (C.D. Cal. 2003)
110. *United States v. MyLife.com, Inc.*, No. 2:20-cv-6692 (C.D. Cal. 2020)
111. *United States v. Prochnow*, No. 1:02-cv-917 (N.D. Ga. 2002)
112. *Util. Air Regul. Grp. (UARG) v. EPA*, 573 U.S. 302 (2014)
113. *West Virginia v. EPA*, 597 U.S. 697 (2022)